

ROBERT HAWKINS #131159
CHAPTER 7 TRUSTEE
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Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In the Matter of

VICTOR PASNICK,

Case No. 15-13932-B-7F
DC No. RHT-12

**TRUSTEE'S MOTION FOR
AUTHORIZATION TO SELL REAL
PROPERTY AND PAY ORDINARY
COSTS OF SALE AND REAL ESTATE
COMMISSIONS
(11 U.S.C. §363)**

Debtor.

Date: March 1, 2017
Time: 9:30 a.m.
Dept: B

TO THE HONORABLE RENE LASTRETO, II, UNITED STATES BANKRUPTCY

JUDGE:

Robert Hawkins respectfully represents:

1. He is the duly appointed, qualified, and acting trustee for the above-entitled estate.
2. The above-captioned case was converted to a proceeding under Chapter 7 on or about October 7, 2015, and an order for relief was entered. Robert Hawkins was appointed Chapter 7 Trustee on or about October 7, 2015.
3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. Section 1334(b) and (d), Section 157(b)(2)(N), and 11 U.S.C. Sections 363. This is a core proceeding.
4. Among the assets of this estate is real property commonly known as 3084 Timmy Avenue, Clovis, California, with a fair market value of approximately \$159,000.00.

1 5. The Trustee has obtained an offer from Seeka Yang to purchase the real property for
2 the total sum of \$159,000.00 cash.

3 6. The Trustee has agreed to pay a commission to Guarantee Real Estate in the amount
4 of six percent (6%) of the purchase price in connection with the sale.

5 7. The Trustee reviewed the Preliminary Report which indicates that the property is
6 subject to a lien secured by a deed of trust and a pending court action by Ray Bergman. The Trustee
7 is informed and believes that the deed of trust lien is in favor of Chase in the amount of
8 approximately \$83,856.81. The Trustee is informed and believes that the court action by Ray
9 Bergman has been dismissed. After payment of commissions and escrow costs, the Trustee expects
10 the net proceeds from the sale to be approximately \$62,000.00.

11 8. Said offer is the best and highest offer received for the property and, in the opinion
12 of the Trustee, said offer is for the full and fair market value of the property. Said sale is subject to
13 higher and better offer in increments of \$1,000.00.

14 9. The Trustee believes that confirmation of the sale on the terms set forth above is in
15 the best interest of the creditors of this estate and all parties in interest.

16 **WHEREFORE**, the Trustee prays that, after appropriate notice and opportunity to be heard,
17 he be authorized to sell the above-described asset to Seeka Yang, or nominee, for the total sum of
18 \$159,000.00, subject to higher and better offer at the hearing on confirmation of said sale, and that
19 the Court authorize the payment of ordinary sale costs as contemplated by the parties in order to
20 close escrow.

21 **DATED:** FEBRUARY 2, 2017

22 /S/Robert Hawkins
23 ROBERT HAWKINS,
24 Chapter 7 Trustee
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